

STATE OF SOUTH CAROLINA

(Caption of Case)

In re:

Application of Duke Energy Carolinas, LLC to
Establish a Distributed Energy Resource ProgramBEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2015 - 55 - E

(Please type or print)

Submitted by: Bonnie Loomis

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Other:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☒ Request for item to be placed on Commission's Agenda expeditiously☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

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**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 2015-55-E

In re:)	
)	
)	PETITION TO INTERVENE
Application of Duke Energy Carolinas, LLC)	OF THE
To Establish a Distributed Energy Resource)	S.C. SOLAR BUSINSS ALLIANCE
Program)	
)	

Pursuant to Public Service Commission Regulation 103-825 and other applicable provisions of the South Carolina Public Service Commission's ("Honorable Commission" and "Commission") Rules of Practice and Procedure, the South Carolina Solar Business Alliance, LLC ("SCSBA" or "Petitioner") hereby timely files this Petition to Intervene in the above-captioned proceeding. In support of this Petition, SCSBA respectfully shows unto this Honorable Commission the following:

- 1) SCSBA is a limited liability corporation ("LLC") organized October 21, 2009, pursuant to Chapter 44 of Title 33 of the South Carolina Code of Laws and, since that date, remaining in good standing with the South Carolina Secretary of State.
- 2) SCSBA's principal place of business is currently co-located with that of Sustainable Energy Solutions, LLC at 804 Meeting Street, Charleston, South Carolina, 29403 and mailing address is currently co-located with that of the Hannah Solar Government Services, LLC at 3297 Pacific Street, North Charleston, South Carolina, 29418.
- 3) Petitioner is represented in this proceeding by:

Bonnie Loomis
1201 Main Street, Suite 1100, Columbia, South Carolina 29201
Telephone: 803-719-6202
Email: bonnie@thepalladiangroup.com

4) SCSBA is organized for the purpose of promoting and advocating public policy positions supportive of solar power generation in South Carolina.

5) SCSBA is a manager-managed LLC whose current managers are the following individuals, all of whom conduct solar energy related business in South Carolina under the company names indicated:

- A) Paul Fleury (Sustainable Energy Solutions, LLC)
- B) Grant Reeves (TIG Sun Energy I and II, LLC),
- C) Andrew Streit (SolBright Renewable Energy, LLC),
- D) Don Zimmerman (Alder Energy Systems, LLC),
- E) Bruce Wood (Sunstore Solar, LLC), and
- F) Dave McNeil (Hannah Solar Government Services, LLC).

6) SCSBA's more than thirty (30) Trade Members include solar energy companies and professional service firms engaged in the business of solar energy generation in this state and across the nation. The majority of SCSBA's Trade Members are based in South Carolina. All of the SCSBA Managers' companies are based in South Carolina.

7) On behalf of these Trade Members' business interests and upon request of the South Carolina Office of Regulatory Staff ("ORS"), SCSBA past Board Chair Grant Reeves appeared before this Honorable Commission on April 16, 2014, for an Allowable Ex Parte Briefing to Discuss Solar Power Potential in South Carolina, including the impact on solar of, then, Senate Bill 1189 and, now, Act 236 of 2014 ("Act" or "the Act"). (See SCPSC Docket 2014-12-E)

8) On June 5, 2014, this Honorable Commission was petitioned by the ORS pursuant to Section 58-40-20(F)(4) of the Act to open a docket in compliance with the Act's requirement of a generic Commission proceeding "for the purposes of implementing the requirements of Chapter 40, Net Metering, with respect to the net energy metering rates,

tariffs, charges and credits of electrical utilities, and specifically to establish the methodology to set any necessary charges and credits." (See SCPSC Docket 2014-246-E)

9) Recognizing the broad implications of that proceeding, the General Assembly explicitly stated in the Act that "all interested parties shall be allowed to participate" and "propose methodologies" for setting net metering rates and credits in the generic proceeding. (See S.C. Code Section 58-40-20(F)(4))

10) On July 25, 2014, SCSBA petitioned this Honorable Commission to participate in Commission Docket 2014-246-E alleging that:

A) SCSBA had standing to intervene as an "interested party" pursuant to Section 58-40-20(F)(4),

B) SCSBA Trade Members had direct and material interests in the issues to be addressed and resolved by this Honorable Commission, and

C) SCSBA's interests could not be represented adequately by any other party.

11) In that Petition, SCSBA further alleged standing to intervene pursuant to the long-standing practice of this Honorable Commission to grant such Petitions when "it is in the public interest to grant the relief requested in the Petition so that the Commission may consider all of the relevant information in the instant proceeding" (See SCPSC Docket 84-10-C, Order No. 84-498, Page 2) and intervention of the Petitioning party will "aid us in developing a full record in this case" (See SCPSC Docket No. 95-835-C, Order No. 1999-20, Page 2) SCSBA additionally asserted that involvement of South Carolina's only solar trade alliance would unquestionably serve to promote the public interest, better allow this Honorable Commission to consider all of the relevant information and ensure the development of a full record in that Docket.

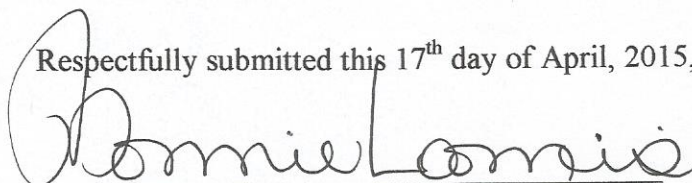
12) SCSBA's Petition in Docket 2014-246-E was not objected to by any Party or Intervenor (many of whom are the same as those involved in this proceeding, Docket 2015-53-E) and, on August 20, 2014, this Honorable Commission granted Intervenor status to SCSBA by approving the Petition.

13) SCSBA subsequently actively participated in the multi-party negotiations that resulted in the settlement proposed to, and later approved by and made an Order of, this Honorable Commission, in Docket 2014-246-E.

14) The SCSBA remains situated today as it was when this Honorable Commission favorably viewed the standing allegations made in Docket 2014-246-E, which are recited in Paragraphs 10 and 11 above. SCSBA, herein, re-states those standing allegations, specifically those in Paragraphs 10B, 10C and 11, and respectfully invokes this Honorable Commission's prior reasoning as the Commission gives consideration to this Petition to Intervene in Docket 2015-55-E.

WHEREFORE, Petitioner prays that this Honorable Commission grant SCSBA's Petition to Intervene in this docket and all related proceedings, including, but not limited to, the ability to appear as a party, engage in discovery, and participate in all hearings by offering testimony and exhibits and cross-examining the testimony and exhibits of other parties. Petitioners request the receipt of all notices, documents, exhibits and data submitted by all parties and the Commission's staff.

Respectfully submitted this 17th day of April, 2015,

A handwritten signature in cursive script, reading "Bonnie Loomis". The signature is written in dark ink and is positioned above the printed name and contact information.

Bonnie Loomis (SC Bar #15982)

1201 Main Street, Suite 1100, Columbia, South Carolina 29201

Telephone: 803-719-6202

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**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

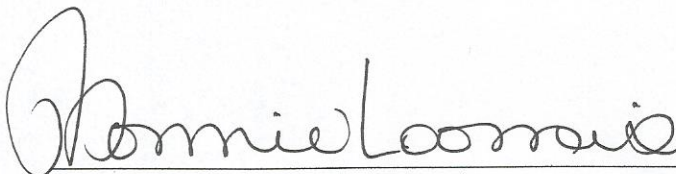
DOCKET NO. 2015-55-E

In re:

Application of Duke Energy Carolinas, LLC)
To Establish a Distributed Energy Resource)
Program)

CERTIFICATE OF SERVICE

The undersigned certifies that she has, this 17th day of April, 2015, served a copy of the PETITION TO INTERVENE OF SC SOLAR BUSINESS ALLIANCE in the above-captioned matter on the Representatives of all Parties and all Intervenors in this Docket listed in the attached five (5) page "Docket Detail" accessed this date and printed from the South Carolina Public Service Commission online Docket Management System. The undersigned further certifies that service was accomplished via electronic mail and via the United States Postal Service first-class, postage pre-paid mail with the envelopes addressed as shown in the attached.



Bonnie Loomis (SC Bar #15982)
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Docket 2015-55-E

Opened On Tuesday, February 10, 2015

Status Open

Industry Electric

Summary **Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program**

Applicants [\(expand\)](#)

Total: 1

Representatives

(1) *Representing Office of Regulatory Staff*
Andrew M. Bateman
Office of Regulatory Staff
Title: Counsel

1401 Main Street, Suite 900
Columbia, SC 29201

(2) *Representing Duke Energy Carolinas, LLC*
Charles A. Castle
Duke Energy Carolinas, LLC
Title: Associate General Counsel

550 South Tryon Street/DEC 45 A
Charlotte, NC 28202

(3) *Representing Wal-Mart Stores East, LP and Sam's East, Incorporated*
Derrick Price Williamson
Spilman Thomas & Battle, PLLC
Title: Counsel

1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050

(4) *Representing Duke Energy Carolinas, LLC*
Frank R. Ellerbe, III
Robinson, McFadden & Moore, P.C.
Title: Counsel

Post Office Box 944
Columbia, SC 29202-0944

(5) *Representing The Alliance for Solar Choice*
Joseph M. McCulloch Jr.
Law Offices of Joseph M. McCulloch, Jr.
Title: Counsel

1426 Richland Street
Columbia, SC 29211

(6) *Representing Sierra Club*
Robert Guild
Robert Guild - Attorney at Law
Title: Counsel

314 Pall Mall Street
Columbia, SC 29201

(7) *Representing South Carolina Energy Users Committee*
Scott Elliott
Elliott & Elliott, P.A.
Title: Counsel

1508 Lady Street
Columbia, SC 29201

(8) <i>Representing Office of Regulatory Staff</i> Shannon Bowyer Hudson Office of Regulatory Staff Title: Counsel	1401 Main Street, Suite 900 Columbia, SC 29201	
(9) <i>Representing Wal-Mart Stores East, LP and Sam's East, Incorporated</i> Stephanie U. Roberts Spilman Thomas & Battle, PLLC Title: Counsel	110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103	
(10) <i>Representing The Alliance for Solar Choice</i> Thadeus B. Culley Keyes, Fox & Wiedman LLP Title: Counsel	401 Harrison Oaks Boulevard, Suite 100 Cary, NC 27513	
Total: 10		

Intervenors (expand)

Total: 5

Matters Sortable Matter Listing

MatterID	Type	Summary	Date	PDF(s)
256241	Directive Order	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #15 - Staff Presents for Commission Consideration the Petition to Intervene Filed by the South Carolina Energy Users Committee <i>On behalf of: Clerk's Office</i>	4/16/2015	Directive Order
256242	Directive Order	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #16 - Staff Presents for Commission Consideration the Petition to Intervene Filed by the Sierra Club <i>On behalf of: Clerk's Office</i>	4/16/2015	Directive Order
256243	Directive Order	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #17 - Staff Presents for Commission Consideration the Petition to Intervene Filed on Behalf of The Alliance for Solar Choice <i>On behalf of: Clerk's Office</i>	4/16/2015	Directive Order
256169	Petition	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Petition to Intervene <i>On behalf of: Solbridge Energy LLC and Energy Solutions, LLC</i>	4/14/2015	Joint Peition Correspondence, Coversheet and Certificate of Service Cover Sheet

256026	Petition	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Petition to Intervene <i>On behalf of: Sierra Club</i>	4/2/2015	Scanned Matter
256034	Petition	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Petition to Intervene <i>On behalf of: The Alliance for Solar Choice</i>	4/2/2015	PETITION TO INTERVENE OF THE ALLIANCE FOR SOLAR CHOICE Cover Sheet
255913	Publisher's Affidavit	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program- Affidavit of Melissa L. Porter Certifying That the Notice of Filing Has Been Provided to Customers in South Carolina by Bill Insert and Proof of Publication Posted in the Following Newspapers: The Charlotte Observer Publishing Company in Mecklenburg County, The Independent-Mail in Anderson County, The Greenville News in Greenville County, and The Spartanburg Herald-Journal in Spartanburg County <i>On behalf of: Duke Energy Carolinas, LLC</i>	3/30/2015	2015-55-E Duke Energy Carolinas SC DER Plan Program Affidavits of Publications Cover Sheet
255891	Petition	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Petition to Intervene <i>On behalf of: South Carolina Energy Users Committee</i>	3/27/2015	Cover ltr, Petition to Intervene & COS Cover Sheet
255839	Directive Order	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #6 - Discuss with the Commission the Petition to Intervene Filed on Behalf of Wal-Mart Stores East, LP, and Sam's East, Incorporated <i>On behalf of: Clerk's Office</i>	3/25/2015	Directive Order
255851	Directive Order	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Commission Directive - Agenda Item #10 - Staff Presents for Commission Consideration Duke Energy Progress, Incorporated's Request for Confidential Treatment of the Exhibits to Direct Testimony of Jose I.	3/25/2015	Directive Order

		Merino <i>On behalf of: Clerk's Office</i>		
255714	Testimony	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Testimony and Exhibits of Jose I. Merino, Kim H. Smith and Emily O. Felt (Merino's Exhibits Filed as Confidential) <i>On behalf of: Duke Energy Carolinas, LLC</i>	3/17/2015	Testimony and Exhibits Cover Sheet
255568	Petition	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Petition to Intervene <i>On behalf of: Wal-Mart Stores East, LP, and Sam's East, Incorporated</i>	3/5/2015	Cover Sheet, Letter, Petition to Intervene, Certificate of Service Cover Sheet
255188	Letter	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Proposed Procedural Schedule <i>On behalf of: Duke Energy Carolinas, LLC</i>	2/20/2015	Scanned Matter
255202	Transmittal Letter	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Transmittal Letter <i>On behalf of: Clerk's Office</i>	2/20/2015	Transmittal Letter
255203	Notice	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program Notice of Filing and Hearing and Prefile Deadlines <i>On behalf of: Clerk's Office</i>	2/20/2015	Notice of Filing and Prefile Deadlines
255204	Prefile Testimony Letter	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Prefile Testimony Letter <i>On behalf of: Clerk's Office</i>	2/20/2015	Prefile Testimony Letter
255039	General Matter	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program - Notice of Appearance of Counsel - Shannon Bowyer Hudson and Andrew M. Bateman <i>On behalf of: Office of Regulatory Staff</i>	2/10/2015	NOA & CoS Cover Sheet
255022	Application	Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program <i>On behalf of: Duke Energy Carolinas, LLC</i>	2/9/2015	Cover Letter ERP Application Cover Sheet Exhibits

Orders

Order#	Summary	Date	PDF(s)
2015-284	Order Granting Petition to Intervene - Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program	4/16/2015	Order No. 2015-284
2015-283	Order Granting Petition to Intervene - Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program	4/16/2015	Order No. 2015-283
2015-282	Order Granting Petition to Intervene - Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program	4/16/2015	Order No. 2015-282
2015-216	Order Granting Request for Confidential Treatment - Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program	3/25/2015	Order No. 2015-216
2015-212	Order Granting Petition to Intervene - Application of Duke Energy Carolinas, LLC to Establish a Distributed Energy Resource Program	3/25/2015	Order No. 2015-212

Timeline

Event	Date
Application Received	2/9/15
Issue Final Order	
All Other Parties Due Date	4/28/15
Proof Pub Due For Merits Hearing	4/17/15
Rebuttal Testimony Due Date	5/5/15
Return Date	4/17/15
Surrebuttal Testimony Due Date	5/12/15
Applicant/Complainant/Petitioner Testimony Due	3/17/15

Hearings

Date	Status	Notes
Tuesday, May 19, 2015 @ 10:30 AM	Scheduled	Continuing to May 20th and 21st and further continued after these dates, if necessary

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